

**Court of Appeals, State of Michigan**

**ORDER**

LDMJ LLC v Farmer's Refrigerated Services LLC

Docket No. 272598

LC No. 05-517139-CH

Brian K. Zahra  
Presiding Judge

Michael J. Talbot

Kirsten Frank Kelly  
Judges

---

The Court orders that the delayed application for leave to appeal is DENIED as moot in light of the claim of appeal filed by defendant in Docket No. 274394. Defendant is free to raise the issue from the delayed application in his brief in the claim of appeal. See *Tomkiw v Saucedo*, 374 Mich 381, 385; 132 NW2d 125 (1965).



A true copy entered and certified by Sandra Schultz Mengel, Chief Clerk, on

**JAN 17 2007**

Date

*Sandra Schultz Mengel*  
Chief Clerk